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Uptown Newport  
Study Session List of Issues  
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Below are my comments to the Uptown Newport project documents received to date, other than the DEIR. My apologies in advance for duplicative or off base comments of which there will surely be a few.

## **I. OVERVIEW**

1. Will the Commission be asked to approve a Parcel Map when the matter formally comes before the Planning Commission? If so, perhaps some (many?) of my questions/comments will be addressed when we see the proposed conditions of approval.
2. Note 3 of the TTM contemplates that there may be multiple final maps based upon the TTM.
3. Presumably, the Applicant intends to have the right to record one or more Final Maps and deed out parcels to buyers.
4. If some parcels may be deeded out, is there a risk to the City that a parcel will not have access or utilities without the cooperation of another owner? See comments on Phasing Plan.
5. Does the Applicant intend to act as Master Developer of the site work? That is, grading and underground public services.
6. If so, will the master grading plan contemplate subterranean parking on some, most, all or none of the parcels since there will be no surface parking lots allowed for residential uses (Design Guidelines Page 16)?
7. The Design Guidelines indicate that certain design master plans are to be accomplished later, such as: Landscape Plan, Fencing and Wall Plan, Common Area Lighting Plan, and a Comprehensive Sign Program. Some of what is in the documents indicates that plans are "For Illustrative Purposes Only". If parcels are deeded out before these plans are finalized, how is the completion of those plans managed so that a Master Plan is created that is binding on all future owners? Should that be done before parcels can be deeded out?

## **II. PARCEL MAP**

1. Who will own the lettered lots? Notes 7 & 8 indicate that streets, sidewalks, angled parking and parkways will be privately owned and maintained. What about the Paseos? The PC Text refers to the parks as "Public" (at Page 17). Presumably that means the land will be dedicated to the City, which will own and maintain the parks, correct?
2. Will lettered lots other than the public parks be privately owned and maintained and if so by whom?

3. If the tentative map is not recorded all at one time, will all of the lettered lots in a phase be included in the first map recorded in that phase?
4. If not, then how will the contemplated improvements of those lettered lots be secured?
5. Does the Applicant contemplate conveying the lettered lots to an owners association?

### **III. SITE PLAN**

1. The site plan should identify the number of angled and on-street parking spaces are part of the plan and each space should be numbered.
2. Patrons of the retail space who enter at Fairchild Intersection and use the angled parking and who desire to exit the project and go north on Jamboree will need to make an awkward turning movement at Street E, or have to pull off a mid-block turn around in Street A, or wend their way to Birch Street. Are there any better alternatives?

### **IV. PLANNED COMMUNITY DEVELOPMENT PLAN (Land Uses, Development Standards and Procedures)**

1. Page 6, is there a limit as to how long industrial uses may remain on the property? It looks to me like there is no limit.
2. Page 6, are there any allowable uses that should be prohibited once residents move in nearby?
3. Page 7, Accessory Uses are referred to but not defined. What are they?
4. Page 8, are the following uses appropriate given the density of nearby residential in the project and seemingly small scale of the retail element: The uses listed under "Commercial Recreation and Entertainment", Animal Sales and Services, Animal Grooming/Veterinary Services, Fast Food (not sure what that is - - does that mean with a drive-thru?) and fitness facilities over 2,000 s.f.
5. Page 9, Wireless Telecommunication Facilities should only require a Minor Use Permit as it will be easy to plan for them up front.
6. Page 11, there should be some very specific language on the interface between commercial and residential. Noisy uses and uses requiring food exhaust venting should not be located below or next to residential without mitigating features.
7. Page 17, I question the wisdom of crediting all street parking against required retail parking. Some credit may be appropriate, but to the extent there is a significant amount of restaurant space, I would be very concerned about giving any credit. Further, it is not clear to me where guests and service staff/personnel of homeowners would park (some, or all, of the project could be "for sale" housing which usually generates a greater need for parking).
8. Page 17, I am not sure there should be a right to deviate from parking requirements with a parking management plan. I would delete the word "number" in 4.1.2 d and delete 4.1.4 Para. 4. This is a new

development and there does not seem to be a justification to deviate from code parking requirements. Having said that, doesn't the code already allow for a deviation process? If so, why add one here?

9. Page 17, 4.1.4 Para. 3 a, should be revised to read: "All exterior materials and their manner of application". Page 18, 4.1.4 Para. 6 a, should be revised to read: "General location of all plant material, by common and botanical names with photographs."

10. Page 19, won't some type of review be necessary for the master landscape plan (at least along streets and paseos) or the comprehensive sign plan or the master fencing plan? If the Applicant desires to deed out property prior to plan approval for site work/signage then it would seem that the overall plan, other than building plans, would have to be agreed to before parcels are deeded out. Once those plans have been approved, then I'd feel more comfortable with review of building plans and landscaping to be located on numbered parcels being left to the Director.

11. Page 22, add a definition of Streets and then refer the reader to Section 3.2.7.

## **V. DESIGN GUIDELINES**

1. Page 4, Vision Statement implies that connections with Koll property will be coordinated. How will this be ensured since there is no common ownership?

2. Page 8, the Master Concept Plan (Figure 2-5) purports to incorporate the "framework principles" yet it does not actually depict several framework principles (e.g. #'s 3, 5, 7 & 8).

3. Page 12, can traffic calming devices be designed at the front end of project. Otherwise, when will they be designed?

4. Page 16, should paid parking be prohibited? Is there enough on-street parking to accommodate visitors and customers of retailers. If there is not, where would visitors and customers of retailers park and when would that be figured out?

5. Page 23, windows with articulated frames should be required for windows facing Jamboree Road.

6. Page 25, not sure I understand how Plexiglas will be mounted on hinges so it opens and closes.

7. Page 27, what does it mean to "optimize" grading?

8. Page 36, Figure caption refers to Phase 2 entry drive, but it looks like Phase 1 from the diagram.

9. Page 38, synthetic turf? Really?

10. Page 40, some of the list of improvements look like they may have been carried over from park description and may not fit in Paseos: lawn bowling, horseshoes, bocce ball, picnic areas and exercise stations.

11. Page 40, any requirement that Paseo landscape plans be consistent throughout the development?

12. Page 42, when do the public parks get built? Will they be consistent in design with each other?
13. Page 46, says "The project should have one fence design used throughout all parcel areas." When is that design determined and by whom?
14. Page 48, says "This community is encouraged to embrace a unified lighting theme in fixtures of common area streets. How would that "encouragement" be manifested and implemented?
15. Page 51, who will develop the Comprehensive Sign Program and when will it be done? Also see footnote at Page 54.
16. Page 54, delete references to Pylon Signs. They should not be allowed.
17. Page 56, limits sign copy to 3 tenant signs yet diagram shows 4 tenant signs.
18. Page 58, clarify that a tenant may only pick one of the three sign types.

## **VI. PHASING PLAN**

1. Page 2, the land will be phased, but where the units fall is totally subject to change. Should there be a limit on the upper end and lower end of the unit count in Phase 1?
2. Page 4, note that the Applicant proposes to introduce residents to an area with a 2,200 gallon liquid ammonia tank.
3. Page 4, which water Board is SRWQCB?
4. Page 6, looks like erroneous reference to Figure 2-1 should be to 3-1.
5. Page 12, will all Phase 1 streets be bonded with recordation of first map in Phase 1. If not, when. Same comment with respect to pedestrian circulation facilities.
6. Page 13, indicates a Master Landscape Plan will be done, but doesn't indicate when.
7. Page 17, indicates the project would have one fence design and that the locations will be done in "future design". When and by whom?
8. Page 30 refers to an outline of the Phase 2 landscape framework, hardscape and streetscape character, but Figure 6-6 indicates it is for "illustrative purposes" only.
9. Page 31, retailers won't appreciate emphasis on shade trees that could block their signage.
10. There is no diagram of neighborhood streets, which is ok, except the road in from Birch is really not just a neighborhood street. Perhaps there should be more detail on the design of this street segment.
11. Page 33, the word "could" is used which means "could not" as well. Is that intended?